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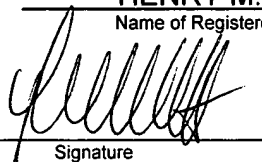
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Docket No.: THEURER-21

In re Application of:)
JOSEF THEURER et al.)
Appl. No.: 09/501,251) Examiner: Jeffrey R. West
Filed: February 10, 2000) Group Art Unti: 2857
For: METHOD OF SURVEYING A TRACK)

NOTICE OF APPEAL TO
THE BOARD OF PATENT APPEALS AND INTERFERENCES

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450", on <u>March 5, 2004</u> .	
(Date)	
HENRY M. FEIEREISEN	
Name of Registered Representative	
	3-5-2004
Signature	Date of Signature

SIR:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision dated December 5, 2003 of the Examiner finally rejecting claims 1 and 3.

The items checked below are appropriate:

1. STATUS OF APPLICANT

This application is on behalf of

☒ other than small entity

☐ small entity

Verified Statement

☐ attached

☐ already filed on _____

2. FEE FOR FILING NOTICE OF APPEAL

Persuant to 37 C.F.R. 1.17(e) the fee for filing the Notice of Appeal is

☐ small entity \$165.00

☒ other than a small entity \$330.00

Notice of Appeal Fee due \$330.00

3. EXTENSION OF TERM

a. ☐ The Commissioner is hereby petitioned to extend the period for response to above-referenced Official Action by _____ month until _____. Accompanying this amendment is the appropriate fee of \$ _____.00 pursuant to 37 C.F.R. §1.17(c) and 37 C.F.R. §1.136(a).

b. ☐ Request for Extension of Time was filed on _____ together with a Request for Reconsideration, and the appropriate fee of _____ was paid.

4. TOTAL FEE DUE

The total fee due is

Notice of Appeal fee \$330.00

Extension fee (if any) \$ 00.00

TOTAL FEE DUE \$330.00

5. FEE PAYMENT

☒ Attached is a check in the sum of \$330.00.

☐ Please charge the fee to Deposit Account No.06-0502.

6. FEE DEFICIENCY

- (X) The Commissioner is hereby authorized to charge payment of any additional fees which may be required with this communication, or credit any overpayment to Deposit Account No. 06-0502. A duplicate copy of this sheet is provided.

Respectfully submitted,



By: _____

Henry M. Feiereisen
Reg. No.: 31,084
Agent for Applicant

Date: March 5, 2004
350 Fifth Avenue
Suite 4714
New York, N.Y. 10118
(212) 244-5500
HMF:af



6. FEE DEFICIENCY

- (X) The Commissioner is hereby authorized to charge payment of any additional fees which may be required with this communication, or credit any overpayment to Deposit Account No. 06-0502. A duplicate copy of this sheet is provided.

Respectfully submitted,

By: _____

Henry M. Feiereisen
Reg. No.: 31,084
Agent for Applicant

Date: March 5, 2004
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